COURT NO.2

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition No. 1546 (S/S) of 2005

(Old Case No. 1431 of 1991)

Diwan Singh, aged about 43 years, son of Sri Tek Singh, resident of village-Bichakholi, Post Office-Marsan, Tehsil and District- Pithoragarh.

.....Petitioner

Versus

1. U.P State Road Transport Corporation, through its Managing Director, Lucknow.
2. Regional Manager, U.P. State Road Transport Corporation, Tanakpur, District Nainital.
3. Deputy General Manager, North Zone, U.P. State Road Transport Corporation, Bareilly.

.....Respondents

Sri Paresh Tripathi, learned counsel for the petitioner.
Sri D.C.S. Rawat, learned counsel for the respondents

Dated: 26.11.2007

Hon'ble P.C. Verma, J.

The petition was entertained for the reason that vires of Section 5-B of the U.P. Public Service Tribunal Act, 1976 was under challenge. Since prayer no.1 has not been pressed therefore prayer made in clause 2 can be the relief.

2. Prayer contained in prayer no.2 can be granted by the Public Service Tribunal and prayer no.3 cannot be granted at all as the petitioner has been terminated from service.

3. At this stage, as the petitioner has already been removed from service and if his claim is allowed he will get arrears of salary and everything by the Tribunal accordingly.

4. Writ petition is disposed of with the direction that the petitioner may approach the Public Service Tribunal.

(P.C. Verma, J.)

26.11.2007
RBS